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S E C R E T SECTION 1 OF 2 SAIGON 22283

EXDIS

SUBJECT: ELECTIONS, ELECTION LAWS AND SECURITY FOR CANDIDATES.

1. DURING A CONVERSATION APRIL 6 WITH PRIME MINISTER KY I HAD AN OPPORTUNITY TO DISCUSS A RANGE OF QUESTIONS RELATED TO ELECTIONS IN VIET-NAM.

A. ELECTORAL LAWS

2. I OBSERVED THAT THE GVN HAD ASKED THE ASSEMBLY TO COMPLETE THE ELECTORAL LAWS FOR THE ELECTIONS OF PRESIDENT, VICE PRESIDENT, UPPER AND LOWER HOUSES BY THE END OF APRIL. WE FELT THAT CLOSE COOPERATION BETWEEN THE GVN

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AND THE ASSEMBLY WOULD BE NECESSARY EVEN TO COME NEAR THE DEADLINE AND, MORE IMPORTANTLY, TO WRITE SATISFACTORY LAWS. WE BELIEVED THAT THERE WAS NO TIME TO BE LOST IN NOTIFYING THE ASSEMBLY AS SOON AS POSSIBLE REGARDING THE BROAD OUTLINES OF WHAT SHOULD BE IN THE LAW. I ADDED THAT ELECTORAL LAWS COULD BE OF GREAT IMPORTANCE IN DETERMINING WHETHER THE ELECTIONS WOULD BE FAIR AND FREE; WHETHER THEY PROVIDED EQUALITY FOR ALL CANDIDATES; OR WHETHER THEY CONTAINED CONVINCING SAFEGUARDS AGAINST ELECTION FRAUD. I ALSO THOUGHT IT WAS OF THE UTMOST IMPORTANCE THAT THE LAW SHOULD TRY TO INSURE THAT THE WINNER HAD A RESPECTABLE MANDATE - 40 PERCENT OF THE VOTE OR MORE.
3. IN REPLY, KY SAID THAT HE HAD ALREADY TALKED WITH THE MEMBERS OF THE ASSEMBLY. HE SAID THAT THEY PLANNED TO ASK FOR TECHNICAL ASSISTANCE FROM THE MINISTRY OF REVOLUTIONARY DEVELOPMENT AND THIS MINISTRY WOULD, OF COURSE, PROVIDE IT.
4. COMMENT: I RAISED THIS SUBJECT AT THIS TIME IN THE HOPE THAT EXCHANGES OF VIEW BETWEEN THE GVN AND CONSTITUENT ASSEMBLY WOULD COMMENCE IMMEDIATELY RATHER THAN DELAY

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REVIEWED BY Joan Zumbrun DATE 10/6/81
PORTIONS DENIED AS INDICATED

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THE ASSEMBLY'S WORK ON THIS DIFFICULT SUBJECT, AS IT DID DURING THE CONSTITUTION DRAFTING PROCESS. END COMMENT.

B. SECURITY AT ELECTION TIME

5. I STRESSED THE IMPORTANCE OF SECURITY IN THIS CONNECTION. AS REGARDS THE CANDIDATES FOR PRESIDENT, THERE COULD BE NO DOUBT THAT THE ASSASSINATION OF SOMEONE OF THE STATURE OF SUU OR HUONG COULD HAVE A DEVASTATING EFFECT, POSSIBLY DESTROYING EVERYTHING THAT KY HAD LABORED TO BUILD UP DURING THE LAST YEAR. IN THAT SENSE, IT COULD BE A BIGGER DEFEAT THAN EITHER SUU OR HUONG COULD INFLICT WHILE ALIVE. IT WAS IMPORTANT FOR THE GOVERNMENT TO PROVIDE SECURITY FOR SUU AND HUONG, AND IT WAS IMPORTANT FOR THE WHOLE WORLD TO KNOW IT. I WOULD PERSONALLY BE HAPPY TO SEE THEM FOLLOWED AROUND BY A JEEP FULL OF POLICE-MEN AS I WAS.

6. KY SAID THAT HE HAD OFFERED SECRUITY TO SUU WHO HAD REFUSED, SAYING THAT HE WAS SO POPULAR THAT NOBODY WOULD EVER DO HIM ANY HARM.

7. I SAID THAT I WAS NOT SURE THAT THIS WAS ENOUGH. I BELIEVED A WRITTEN OFFER WOULD BE IN ORDER AND ALSO I THOUGHT THAT HE SHOULD PROVIDE THE SECRUITY WHETHER SUU CONSENTED OR NOT. KY'S RECORD IN THSI REGARD SHOULD BE ABSOLUTELY BEYOND ANY POSSIBLE REPROACH.

8. HE AGREED AND SAID HE WOULD ACT IN THIS WAY.

9. I ALSO BROUGHT UP THE RECENT REPORTS THAT SIX CONSTITUENT ASSEMBLY DEPUTIES HAD RECEIVED DUD GRENADES AND THREATEN-ING LETTERS SIGNED BY A GROUP OF "PROGRESSIVE JOURNALISTS". I SAID THAT SOME PEOPLE HAD TRIED TO PLANT THE IDEA WITH ME THAT THIS HAD BEEN DONE BY THE DIRECTOR OF POLICE.

10. I SAID THAT I HAD TOLD THEM THAT THIS WAS OBVIOUSLY IM-POSSIBLE. I SAID THAT THE DIRECTOR OF POLICE ACTED UNDER THE ORDERS OF PRIME MINISTER KY AND THAT I KNEW THAT PRIME MINISTER KY WAS MUCH TO BROADMINDED AND FARSIGHTED A MAN TO GO IN FOR THESE PICAYUNE ("MESQUIN"), FRENCH-STYLE, WOULD-BE-CLEVER TACTICS. HERE AGAIN, I SAID THAT PRIME MINISTER KY'S BEST INTEREST LIE IN PROVIDING SECURITY FOR EVERYBODY INVOLVED IN THE POLITICAL LIFE OF VIET-NAM, AND HAVING IT WELL KNOWN BY THEM THAT THEY WERE DOING IT, SO THAT WHEN THEY TALKED TO ANY NEWSPAPERMEN THIS FACT WOULD BE REFLECTED.

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11. [redacted]

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12. I CONGRATULATED RIM ON THE SUCCESSFUL CARRYING OUT OF THE FIRST ROUND OF LOCAL ELECTIONS. THIS WOULD HAVE TO BE CONTINUED BY PROVIDING FRIM AND CONTINUING SUPPORT TO THE NEW VILLAGE AND HAMLET ORGANS OF GOVERNMENT.

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C. PRESIDENTIAL ELECTION

13. I WAS HAPPY TO LEARN THAT HIS VIEW OF HOW THE PRESIDENTIAL ELECTIONS SHOULD DEVELOP IS SIMILAR TO THAT EXPRESSED IN OUR SAIGON 21973. HE AGREED WITH ME THAT A MILITARY MAN WHO IS A CANDIDATE FOR PRESIDENT WOULD CHOOSE A CIVILIAN AS VICE PRESIDENTIAL CANDIDATE WHO WAS POLITICALLY SYMBOLIC AND WHO COMPLEMENTED THE PRESIDENTIAL CANDIDATE'S POLITICAL ATTRIBUTES. HE ALSO AGREED THAT THE PRESIDENTIAL CANDIDATE WOULD ANNOUNCE WHOM HE WOULD APPOINT AS PRIME MINISTER, AND THIS SHOULD NOT BE POLITICALLY SYMBOLIC BUT SHOULD BE A CIVILIAN KNOWN FOR HIS EXECUTIVE ABILITY, FOR HIS BRAINS AND FOR HIS DRIVE. I ASKED: "SOMEONE LIKE THE MINISTER OF ECONOMY, MR. HANK?" AND KY AGREED. THUS KY IS THINKING IN TERMS OF THREE NAMES PER TICKET.

14. COMMENT: THIS MEANS THAT THERE COULD BE A SITUATION IN WHICH THERE WOULD BE ONE SLATE WITH A MILITARY MAN FOR PRESIDENT, A CIVILIAN FOR VICE PRESIDENT, AND A CIVILIAN ANNOUNCED AS THE PRIME MINISTER IN CASE OF VICTORY AND, IN ADDITION, TWO OR MAYBE THREE SLATES IN WHICH ALL THE POSITIONS WOULD BE HELD BY CIVILIANS, FOR A POSSIBLE TOTAL OF FOUR SLATES, MAKING AT LEAST ELEVEN INDIVIDUALS INVOLVED IN THE CAMPAIGN WHO WOULD BE CIVILIANS AND ONE WHO WOULD BE MILITARY.

15. THIS MAY BE BETTER "SCENERY" THAN A CONSENSUS SITUATION IN WHICH THE MILITARY CANDIDATE HAS BEEN ABLE TO ORGANIZE PRACTICALLY EVERBODY FOR HIM. YET IT COULD MEAN SOME REAL NON-COMMUNIST POLITICAL OPPOSITION, WHICH IS ESSENTIAL. IT IS CLEARLY MUCH BETTER THAN HAVING A CONTEST BETWEEN TWO MILITARY MEN, WHICH COULD BE DISASTROUS. IT DOES CARRY WITH

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IT THE RISK THAT THE WINNER WILL NOT HAVE 40 PERCENT OF THE VOTE. IT DOES SEEM TO GIVE THE WHOLE THING AS "CIVILIAN" AN APPEARANCE AS POSSIBLE, GIVEN THE REALITIES. THE PROBLEM IS QUITE BAFFLING SINCE THERE ARE NO POLLS IN WHICH I HAVE CONFIDENCE AND THERE ARE NO PREVIOUS ELECTION FIGURES, AND IT IS HARD AT THIS STAGE TO HAVE *EVEN* AN EDUCATED GUESS ON, FOR EXAMPLE, HOW STRONGLY KY WOULD RUN AGAINST SUU.
END COMMENT.

E. SIGNIFICANCE OF THE CONSTITUTION.

16. WE THEN HAD A TALK ON THE BROAD PSYCHOLOGICAL IMPLICATIONS OF THE PROMULGATION OF THE CONSTITUTION, WITH ME SAYING THAT THIS WAS AN EVENT WHICH TRANSCENDED IN IMPORTANCE THE ACTUAL SUBSTANTIVE FEATURES OF THE CONSTITUTION ITSELF -- IMPORTANT THOUGH THESE WERE. THE CONSTITUTION, I VENTURED, SYMBOLIZED SOME VERY NEW AND CONSTRUCTIVE ATTITUDES WHICH WERE AT WORK IN VIET-NAM: FIRST, A SPIRIT OF SELF-CONFIDENCE; SECOND, A SPIRIT OF MODERATION, OF LIVE AND LET LIVE, OF STRIVING FOR UNITY; AND THIRD, AN ATTITUDE OF RESPONSIBILITY -- OF BEING WILLING TO TAKE RESPONSIBILITY

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FOR *THEIR* OWN ACTIONS AND NOT ACT IRRESPONSIBLY THINKING THAT SOMEBODY WOULD BAIL THEM OUT. I SAID THAT THESE WERE ALL TRAITS WHICH COLONIALISM TRADITIONALLY SOUGHT TO QUASH.
17. HE SAID, "THIS IS EXACTLY WHAT I THINK ABOUT IT. AND I HOPE IT MEANS THAT NOW THAT WE HAVE BEEN ABLE TO THINK AND ACT THIS WAY WITH REGARD TO THE CONSTITUTION THIS STATE OF MIND WILL BECOME WIDESPREAD IN ALL OUR OTHER AFFAIRS."

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